

ORIGINAL

JERON D. BROWN
Plaintiff,

v.

THOMAS DONOVAN
Defendant.

1:05-CV-254 JTF



MOTION TO STAY / OR DELAY PROCEEDINGS

Comes Now Plaintiff, JERON D. BROWN moving This Honorable Court Pursuant to Fed. Civil Rule 62(a)-H AND APPLICABLE CASE LAW Authority IN THE INTEREST OF JUSTICE TO STAY OR DELAY THE PROCEEDING OF THIS CIVIL RIGHTS ACTION FOR THE FOLLOWING REASONS:

- 1) THE PLAINTIFF HAS LEGAL STANDING TO SUE DEFENDANT FOR CIVIL RIGHTS VIOLATIONS AND EMOTIONAL INJURIES AND OTHER GROSS NEGLIGENT CONDUCT.
- 2) THE PLAINTIFF HAS RAISED INEFFECTIVE ASSISTANCE OF COUNSEL DURING THE STAGES OF REPRESENTATION PRIOR TO TRIAL AND AFTER BEFORE THE LOWER CRIMINAL COURT WITHOUT RECOURSE.
- 3) THE PLAINTIFF IS WITHIN THE PROCESS OF AN CRIMINAL APPEAL IN THE SUPREME COURT OF DELAWARE NO. 274,2005, IN WHICH DEFENDANT WAS ALLOWED TO FORMULATE AGAINST

Plaintiff wishes Before The Criminal Court. There is no communication exercised by the Defendant in revealing Appeal issues or dates of Appeal.

4) The plaintiff has requested a stay of proceeding prior in July 2005 for six months and now respectfully request another stay or delay of this civil proceeding for, but not limited to six months in the interest of Justice, in fairness to all parties.

5) The ongoing Criminal Appeal needs to be resolved before the Defendant answer the civil action for all alleged tort's violation. It would be premature for this Court to order service of process.

Therefore in the interest of Justice and fairness to all parties. The plaintiff is pro se and needs time for the judicial decision of the Supreme Court in order to dispute any issues of Summary Judgment. The Motion to stay or delay proceedings should be granted.

Respectfully Submitted

Jerome D. Brown #162962
 JEROME D. BROWN
 D.C.C.
 1181 Addock Road
 Smyrna, De. 39077

DATE: Dec. 6th 2005.

Certificate of Service

I, JERON D. BROWN, hereby certify that I have served a true
and correct cop(ies) of the attached: MOTION TO STAY OR DELAY
CIVIL PROCEEDING upon the following
parties/person (s):

TO: THE UNITED STATES DISTRICT TO: _____
COURT OF DELAWARE _____
844 N. KING STREET _____
WILM, DE. 19801 _____

TO: _____ TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977.

On this 6th day of Dec, 2005

Jeron Brown

JERON D. BROWN
ID# 162962 UNIT 22
DELAWARE CORRECTIONAL CENTER
31 PADDOCK ROAD
MIDDLETOWN, DELAWARE 19977



UNITED STATES DISTRICT COURT
OF THE STATE OF DELAWARE
844 N. KING STREET
WILM, DE. 19801

Legal Mail

1520112515 12

